GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department – The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 – Amendments – Notification - Orders – Issued.

SOCIAL WELFARE (CV.POA) DEPARTMENT

G.O.MS.No. 150 Dated: 30-08-2018

Read the following:

1. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act, 1989.
2. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Rules, 1995.
3. From the Director(SCD), Dept. of Social Justice and Empowerment, Ministry of Social Justice and Empowerment, Government of India, New Delhi, Lr.No.11012/1/2016-PCR(Desk), dt.06.07.2018.

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ORDER:

In the reference 1st read above, Parliament enacted the Scheduled castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, (Act No.33 of 1989), to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and matters connected therewith or incidental thereto.

2. In the reference 2nd read above, the Ministry of Welfare, New Delhi have framed the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995; in exercise of the powers conferred by sub-section (1) of Section 23 of the said Act, 1989.

3. In the reference 3rd read above, the Government of India communicated the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2018 published vide notification dated 27.06.2018 and requested all the State Government/ Union territory Administrations to implement the above amendment rules as well as notify them in the State/ UT Official Gazette.

4. Accordingly, the following notification will be republished in an extraordinary issue of the Andhra Pradesh Gazette.

NOTIFICATION

G.S.R.588 (E) - In exercise of the powers conferred by sub-section (1) of Section 23 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989(33 of 1989), the Central Government hereby makes the following rules further to amend the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, namely:-

1. (1) These rules may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2018.
   (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (hereinafter referred to as the rules), in rule 2, after clause (g), the following clause shall be inserted, namely:-

   ‘(ga) “voluntarily" shall have the same meaning as assigned to it in section 39 of the Indian Penal Code (45 of 1860).

3. In the said rules, in rule 12, for sub-rule (5), the following sub-rule shall be substituted, namely:-

   "(5) The relief provided to the victim of the atrocity or his/her dependent under sub-rule (4) in respect of death, or injury or rape, or gang rape, or unnatural offences, or voluntarily causing grievous hurt by use of acid, or voluntarily throwing or attempting to throw acid etc. or damage to property shall be in addition to any other right to claim compensation respect thereof under any other law for the time being in force."

[P.T.O]

4. In the said rules. In sub-rule (1) of rule 16, the words and figures “of not more than 25 members” shall be omitted.

5. In the said rules, in the Schedule, in annexure-I,-

(a) against Sr.No.24, in column (2), for the entries, the following entries shall be substituted, namely:-

“Section 326A of the Indian Penal Code (45 of 1860)- Voluntarily causing grievous hurt by use of acid, etc.

Section 326B of the Indian Penal Code (45 of 1860)- voluntarily throwing or attempting to throw acid.

[Section 3(2)(v), 3(2)(va) read with Schedule to the Act]” shall be substituted;

(b) against Sr.No.26. in column (2), for the words, figures, brackets and letters “Section 32(va)”, the words, figures, bracket and letters “Section 3 (a) (va)” shall be substituted;

(c) against Sr.No.44, in column (2),-

(i) For the words, “Rape or Gang rape”, the words “Rape, Unnatural Offences or Gang rape” shall be substituted;

(ii) For item (i), the following item shall be substituted, namely:-

“(i) Rape, etc., or Unnatural Offences (Sections 375, 376, 376A, 376E and 377 of the Indian Penal Code (45 of 1860)].”

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S. RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Commissioner, Printing, Stationary and Stores Purchase(Pub. Wing),
A.P., Amaravathi.
(for publication of Notification in an Extraordinary issue o the A.P., Gazette dated 30-08-2018 and to supply (100) copies of the same to this Department.)
All the District Collectors.
The Director of Social Welfare, A.P, Tadepalli, Guntur District.
The Commissioner of Tribal Welfare, A.P, Vijayawada.
The IGP (PCR Cell) A.P, Amaravathi.
The I&PR Department.
(with a request to give wide publicity in the Print and Electronic media)
Copy to:
The Director General of Police, A.P, Amaravathi.
All Superintendents of Police in A.P. State.
The Accountant General, A.P, Hyderabad.
The Director of Backward Classes Welfare, A.P, Amaravathi.
The Commissioner of Panchayat Raj, A.P., Amaravathi.
The Secretary to Government of India, Ministry of
(Social Justice & Empowerment), GOI, New Delhi.
The P.S to Secretary to CM.
The OSD to CS.
The P.S to Minister(SWE & TWE)
All PSs to Ministers.
The P.S to Principal Secretary(SW&TW)
S.F/S.C.

// FORWARDED: BY ORDER //

SECTION OFFICER